

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 227

January 30, 2021

SUMMARY OF BILL: Authorizes the Department of Environment and Conservation (TDEC) to act to ensure in-lieu fee sponsors adequately exercise proper mitigation. Prohibits any sponsor of an in-lieu fee instrument from accepting any in-lieu fee payment unless such sponsor agrees that the TDEC may bring an enforcement action to require such sponsor to procure appropriate mitigation credits, as necessary. Authorizes the TDEC to take such action to require an in-lieu fee sponsor to procure additional mitigation credits, as necessary.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Such actions taken by TDEC against an in-lieu fee sponsor shall take place in the Davidson County Chancery Court.
- Such in-lieu fee sponsor would be forced to purchase additional mitigation credits from a mitigation bank.
- TDEC does not, nor any of its divisions, operate as a mitigation bank.
- Any enforcement by TDEC can be handled by current staff, utilizing existing resources, resulting in no increase in expenditures nor any reduction in annual reversions.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic".

Bojan Savic, Interim Executive Director

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